

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

LINDA RENAIVTZ, individually, and as
Administrator and Personal Representative of
the ESTATE of ROBERT RENAIVTZ,
deceased,

Case No. 2:24-cv-10155

Plaintiff (s),

vs.

**1st AMENDED PRODUCT LIABILITY
WRONGFUL DEATH COMPLAINT
FOOD POISONING**

BOAR'S HEAD PROVISIONS Co., INC.,
STOP & SHOP SUPERMARKET
COMPANY, JANE DOES 1-10, JON DOES
1-10, ABC CORPS. 1-10., XYZ EMPLOYER
I-X, (fictitious names),
Defendant (s).

Plaintiff **LINDA RENAIVTZ**, Individually and as Administrator and Personal
Representative of the Estate of **ROBERT RENAIVTZ** ("**Decedent**"), deceased, and through
the undersigned counsel, brings this Complaint for compensatory and punitive damages against
Defendant Boar's Head Provisions Co. Inc. and alleges upon information and belief the
following:

PARTIES

1. The Decedent, **ROBERT RENAIVTZ**, was at all times relevant prior to his death, a
resident of the City of Clifton, County of Passaic, State of New Jersey.

2. Plaintiff **LINDA RENA VITZ**, is the Decedent's surviving spouse and the wrongful death beneficiary of the Decedent.
3. Plaintiff **LINDA RENA VITZ**, at all times relevant, is a resident of the City of Clifton, County of Passaic, State of New Jersey.
4. Defendant, **BOAR'S HEAD PROVISIONS Co., Inc.** ("Boar's Head"), is incorporated in the State of Florida, with its headquarters and principal place of business in Sarasota, Florida.
5. Defendant Boar's Head, manufactures deli meat and conducts business in the Commonwealth of Virginia. Specifically in Jarratt, Virginia.
6. Defendant, **STOP & SHOP SUPERMARKET COMPANY** ("Stop & Shop") is incorporated in the State of Massachusetts and is headquartered in Quincy,

JURISDICTION AND VENUE

7. The Jurisdiction of this Court is proper pursuant to 28 U.S. Code §1332, diversity of citizenship; amount in controversy. This matter far exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs, and there is diversity of citizenship between the Plaintiffs, residents of New Jersey, and the Defendants, residents of Florida, Virginia, and Massachusetts.
8. Venue and Jurisdiction are proper within the District Court of New Jersey because the facts giving rise to the Plaintiff's Complaint occurred in New Jersey.

BACKGROUND

9. The Decedent, Robert Renavitz, died on June 5, 2024, from complications caused by *Listeria Monocytogenes* after consuming it from polluted Boar's Head meat.
10. On May 28, 2024, the Plaintiffs purchased Boar's Head Liverwurst from Stop & Shop in Clifton, New Jersey.
11. Boar's Head produced liverwurst at its manufacturing facility in Jarratt, Virginia.
12. Boar's Head owns, operates, maintains, and controls the manufacturing facility in Jarratt, Virginia, where said Liverwurst was produced.
13. From May 28, 2024, to June 1, 2024, Mr. Renavitz, the Decedent, consumed Boar's Head Liverwurst, which was purchased from Stop & Shop in Clifton, New Jersey, on May 28, 2024, and was manufactured by Boar's Head in their Jarratt Virginia manufacturing plant.
14. On June 2, 2024, the Decedent became ill and 9-11 was called to render emergency aid to him. He had symptoms of generalized weakness, fever, and nausea. The Decedent was transported via ambulance to St. Mary's Hospital.
15. From June 2, 2024, through June 5, 2024, the Decedent remained hospitalized at St. Mary's Hospital as his condition deteriorated.
16. On or about June 4, 2024, the Decedent was read his last rights and went over his living will directives in anticipation of his imminent demise, which caused the Decedent to experience significant mental anguish, pain, and suffering.
17. Laboratory and diagnostic testing confirmed the presence of *Listeria Monocytogenes* living in the Decedent's blood at the time of the Decedent's death.

18. The Center for Disease Control and the New Jersey Board of Health have identified the listeria collected from the blood of Mr. Renavitz at the time of his death to match the strand of listeria found in the defendant's manufacturing plant. Therefore, Mr. Renavitz is a confirmed match for the deadly listeria outbreak in Boar's Head Manufacturing Plant.
19. The liverwurst consumed by the deceased was purchased from Stop & Shop in Clifton, New Jersey. It was produced by Boar's Head in Jarratt, Virginia, and during the manufacturing process, it became contaminated with an active listeria infection. This infection spread to the Decedent when he ate the liverwurst, ultimately leading to his death.
20. Further, local and state health officials confirmed the Listeria from the Boar's Head outbreak and present in the Decedent's blood caused the Decedent's premature demise.

The Boar's Head Listeria Outbreak

21. Boar's Head manufactures its deli meats at its manufacturing plant in Jarrat, Virginia.
22. From June 1, 2023, to August 2, 2024, The United States Department of Agriculture, Food and Safety and Inspection Services issued **84 non-compliances** to the Boar's Head manufacturing plant in Jarratt, Virginia.
23. The United States Department of Agriculture, Food and Safety and Inspection Services defines "noncompliance" as a finding by IPP during the performance of a verification task that an establishment has not complied with one or more regulatory requirements. A noncompliance record may contain one or more noncompliance's found during a single verification task. For each task, no more than one noncompliance record may be generated.

24. On July 24, 2023, a United States Department of Agriculture, Food and Safety inspector observed, while inspecting the Jarratt Boar's Head manufacturing facility, specifically, in a raw cooler, a dead grasshopper, two (2) cockroaches, four (4) black beetles, one (1) fly, and five small flying insects were found.
25. On August 3, 2023, a United States Department of Agriculture, Food and Safety inspector observed heavy discolored raw meat buildup around a hydraulic pump while inspecting the Jarratt Boar's Head manufacturing facility. Around the pump, raw meat, wood pieces, and plastic were present. The raw beef caused an obvious foul order.
26. On February 21, 2024, a United States Department of Agriculture, Food and Safety inspector observed ample blood puddles on the floor and the food racks in a raw receiving cooler while inspecting the Jarratt Boar's Head manufacturing facility. The racks were so heavily soiled that they appeared to leak blood steadily. The inspector also noted that the cooler smelt rancid.
27. On June 10, 2024, a United States Department of Agriculture, Food and Safety inspector observed approximately 15 to 20 flies going in and out of 4 vats of pickles, and small flying gnat-like insects were observed crawling on the walls and flying around the Jarratt Boar's Head manufacturing plant. Further observed on the plant's walls was a heavy build-up of pink/orange discoloration and denaturant spray on them. Further observed trash and meat build up on the floor as well as seven (7) ladybugs, one (1) beetle-like insect, and one (1) cockroach-like insect.

28. Defendant Boar's Head recalled deli meats manufactured in their Jarratt, Virginia, manufacturing facility on July 26, 2024, including the liverwurst consumed by the Decedent.
29. On July 30, 2024, Defendant Boar's Head expanded its July 26, 2024, recall of deli meat products to include approximately seven million pounds of food manufactured by Boar's Head in Jarratt, Virginia, after whole genome sequencing conducted by the Maryland Department of Health confirmed a presence of *Listeria monocytogenes* in Boar's Head Liverwurst.¹
30. On July 31, 2024, The United States Department of Agriculture served Boar's Head with a Notice of Suspension that suspended manufacturing at the Boar's Head Jarratt Virginia plant because of a listeria outbreak that originated in that facility.
31. On September 30, 2024, Defendant Boar's Head announced the closure of its manufacturing facility in Jarratt, Virginia, indefinitely amidst an outbreak of *Listeria* infections.

Listeria

32. As of September 25, 2024, fifty-nine (59) cases of listeria contributed to the Boar's Head outbreak. Those cases consist of fifty-nine (59) hospitalizations and ten (10) deaths in 19 states.²

¹ <https://www.fsis.usda.gov/recalls-alerts/boars-head-provisions-co--expands-recall-ready-eat-meat-and-poultry-products-due>

² <https://www.cdc.gov/listeria/outbreaks/delimeats-7-24.html>

33. Epidemiologic, laboratory, and traceback data showed that meats sliced at delis, including Boar's Head brand liverwurst, were contaminated with *Listeria* and made people sick.³
34. *Listeria* spreads quickly among deli equipment, surfaces, hands, and food; refrigeration does not kill *listeria*.⁴
35. *Listeria* is especially harmful if you are sixty-five (65) or older or have a weakened immune system due to certain medical conditions or treatments. *Listeria* is more likely to spread beyond the gut to other body parts, resulting in a severe condition known as invasive listeriosis.⁵
36. When *listeria* is consumed, it can become a deadly condition.
37. In addition to death, Listeriosis can cause a host of symptoms, including—but not limited to—fever, muscle aches, headache, stiff neck, confusion, loss of balance, and convulsions, sometimes preceded by diarrhea or other gastrointestinal symptoms. *Listeria* poisoning can quickly lead to an invasive infection that spreads beyond the gastrointestinal tract.
38. Listeriosis can be treated with specific antibiotics, but because it often takes a long time to grow the disease on a blood culture, antibiotic treatment is ineffective and often is ordered too late.

³ <https://www.cdc.gov/listeria/outbreaks/delimeats-7-24.html#:~:text=Source%20of%20the%20outbreak,can%20be%20contaminated%20with%20Listeria.>

⁴ <https://www.cdc.gov/listeria/outbreaks/delimeats-7-24.html#:~:text=Source%20of%20the%20outbreak,can%20be%20contaminated%20with%20Listeria.>

⁵ <https://www.cdc.gov/listeria/outbreaks/delimeats-7-24.html#:~:text=Source%20of%20the%20outbreak,can%20be%20contaminated%20with%20Listeria.>

39. For those who suffer a Listeria infection that does not resolve on its own, as the Decedent did, the complications can be severe. The most common complication is septicemia, a bacterial infection of the blood.
40. Under the Centers for Disease Control and Prevention (“CDC”), of the fifty-nine (59) known cases of Listeria linked to the Boar’s Head, ten (10) people have died.⁶

COUNT I

STRICT LIABILITY PRODUCT LIABILITY

1. Plaintiff restates and realleges Count I and paragraphs 1-39 as if fully restated herein.
2. The liverwurst consumed by the deceased was purchased from Stop & Shop in Clifton, New Jersey. It was produced by Boar's Head, and during the manufacturing process, it became contaminated with an active listeria infection. This infection spread to the Decedent when he ate the liverwurst, ultimately leading to his death.
3. At all times relevant, defendant Boar’s Head was the manufacturer, packager, distributor, and or seller of contaminated food, particularly liverwurst deli meat, that the Decedent purchased and/or consumed.
4. Boar’s Head manufactured the liverwurst consumed by the defendant in their Jarratt Virginia manufacturing plant. Through blood testing, the Center for Disease Control and the New Jersey Board of Health have identified the listeria infection in Mr. Renavitz as a match to the listeria found in Boar’s Head Manufacturing Plant. Hence, the Liverwurst, when it left the control of Boar’s Head Manufacturing Plant, was defective as it contained a deadly listeria contamination. Mr. Renavitz was a

⁶ <https://www.cdc.gov/listeria/outbreaks/delimeats-7-24.html#:~:text=Source%20of%20the%20outbreak,can%20be%20contaminated%20with%20Listeria.>

foreseeable user of the liverwurst and said defect, the listeria, caused Mr. Renavitz's death.

5. Boar's Head, did not warn the decedent a foreseeable user of the liverwurst, that their product contained deadly listeria, or did it work of the risks that their product could contain listeria.
6. At all times relevant, defendant Boar's Head was the seller of contaminated food that the Decedent purchased and/or consumed, particularly liverwurst deli meat.
7. Said Liverwurst was designed, manufactured, produced, packaged, marketed, sold, and distributed by Defendants, Boar's Head, John/Jane Does 1-10, and ABC Corporations 1-10, jointly, severally and/or in the alternative, by and through their employees and agents, in a defective condition, unreasonably dangerous to consumers, and was in such defective condition on and before May 28, 2024, in that it was infected with active and deadly listeria bacteria, defectively designed, manufactured, produced, packaged, sold, and distributed; constituted a dangerous hazard to consumers; was unsafe for its intended use; was deadly, was improperly designed, manufactured, produced, packaged, tested, inspected, distributed, and sold; was otherwise defective and fatal; and the aforesaid Defendants are strictly liable to Plaintiff.
8. The Listeria contained in the liverwurst consumed by Plaintiff was a manufacturing defect because it was a variance, latent, or patent deviation from Boar's Head's intent, which was to produce liverwurst that was free from Listeria and to produce liverwurst that was safe for human consumption.
9. The contaminated food product that Defendant Boar's Head manufactured, packaged, distributed, or sold was, at the time it left Defendant's control, defective and

10. unreasonably dangerous for its ordinary and expected use, which was for human food, intended for public consumption, including the Decedent, because defendant's product was infected and contained an active listeria bacterium that when consumed by the Decedent was fatal.
11. The liverwurst ingested by the decedent, was manufactured by Boar's Head and was not reasonably fit, suitable or safe for its intended purpose because it deviated from the design specifications, formulae, or performance standards of the manufacturer, Boar's Head, or from otherwise identical units manufactured to the exact manufacturing specifications or formulae, because the liverwurst contained a deadly pathogen known as listeria.
12. The liverwurst, bought from Boar's Head and consumed by the decedent, failed to contain adequate warnings or instructions that their product contained Listeria
13. Defendants Boar's Head manufactured, packaged, distributed, and/or sold the contaminated food product delivered to Plaintiff, the Decedent, without changing its defective condition. The Decedent consumed the contaminated food product in the manner expected and intended, ultimately causing his wrongful death.
14. The Defendant's product, liverwurst deli meat, contained a marketing defect when it left the Defendant's possession and control because it contained living listeria bacteria within it. Defendants failed to properly handle and inspect the product to realize the *listeria* pollution and to give adequate warnings of the product's known dangers or by applying reasonably developed human skills and foresight should have been known. Defendants also failed to give adequate warnings and instructions to avoid such risks.

15. The defendant's failure to provide such warnings and instructions rendered the product unreasonably dangerous to the public, including the Decedent, which ultimately caused his demise.
16. Defendant Boar's Head and Stop & Shop, jointly, severally, and/or in the alternative expressly and/or impliedly warranted and resented improperly that Boar's Head liverwurst was of good merchantable quality and fit for consumption.
17. Defendants Boar's Head and Stop & Shop owed a duty of care to the public, including the Decedent, Robert Renavitz, to manufacture, package, distribute, warn, and/or sell food that was not contaminated and that was free of listeria or other substances harmful and/or fatal to human life. The Defendants breached their duty.
18. Defendants Boar's Head and Stop & Shop owed a duty of care to the public, including the Decedent, Robert Renavitz, to manufacture food that was fit for human consumption and safe to consume to the extent contemplated by a reasonable consumer. The Defendant breached their duty.
19. As a direct and proximate cause of the defective and unreasonably dangerous condition of the contaminated liverwurst ingested by the Decedent, Robert Renavitz, that the Defendants manufactured, packaged, distributed, failed to warn of, distributed, and or sold as set forth above, the Decedent sustained personal injuries, mental anguish, pain and suffering including the awareness of his demise, and his wrongful death and his estate and Decedent's surviving spouse, both individually and as the wrongful death beneficiary of the estate suffered damages.

20. All Defendants are strictly liable to Plaintiff under the New Jersey Products Liability Act, N.J.S.A. 2A:58C-1, et seq.

WHEREFORE, Plaintiff Linda Renavitz, individually, and as Administrator and Personal Representative of the ESTATE of ROBERT RENAVITZ, deceased, demands damages against Defendants Boar's Head and Stop & Shop for compensatory damages, economic damages, plus interest from the date of injury and costs and punitive damages and such and further relief as may be just and proper including an award of attorney fees as may be permitted by law.

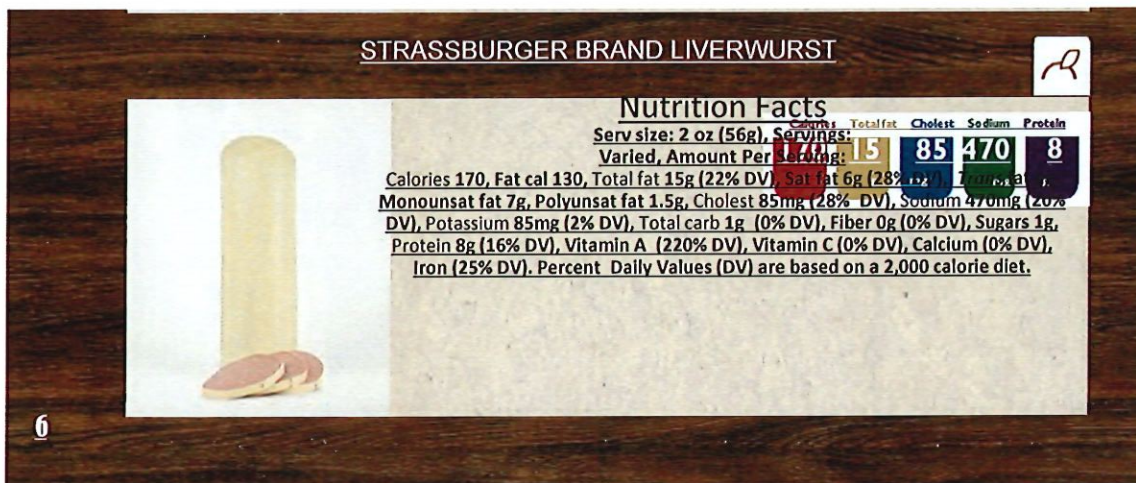
BREACH OF EXPRESS WARRANTY
COUNT II

1. Plaintiff restates and realleges Counts I, and paragraphs 1-39 as if fully restated herein.
2. Under *NJ Rev Stat § 12A:2-315 (2023)*, at the time of sale, Defendants Boar's Head warrantied that the liverwurst consumed by the Decedent was safe and reliable for human consumption.
3. Defendant Boar's Head, through website, affirmed fact and/or promise that their product used the finest ingredients, was of the highest quality and was safe for human consumption to prospective buyers of their products, in this case their liverwurst, which formed the basis for decedent to purchase Boar's Head Liverwurst.
4. Decedent reasonable relied upon Boar' Head affirmation and promises that the their product shall conform to the their affirmation and promises, that Boar's Head was only using the finest ingredients.

5. Defendant Boar's Head website states that "only the finest ingredients" are in their Boar's Head product. Said language expressly warranted to the decedent that their product would not contain a deadly listeria contamination.
6. In or about, May of 2024, the Boar's Head website contained the following language, "Boar's Head Brand was established in the New York City area in 1905. Dissatisfied with the quality of hams available, our founder Frank Brunckhorst set out to craft products of uncompromising standards by using only the finest ingredients." Thereby creating an expressed warranty that the products they were selling, in this case liverwurst would only use the finest ingredients. Here, Boar's Head breached this express warranty by selling a product to the decedent, that was consumed by the decedent, that contained a deadly listeria contamination.
7. In or about, May of 2024, the Boar's Head website contained the following language, which asserted a "commitment to quality" "Since 1905, our standards of quality have never wavered. Our products are made of only the finest ingredients: whole muscle beef, pork and poultry, and spices sourced from around the globe." Here, Boar's Head breached this express warranty by selling a product to the decedent, that was consumed by the decedent, that contained a deadly listeria contamination.
8. In or about May of 2024, the Boar's Head website contained the following language, which asserted they were "proud of our craft" We pride ourselves on being master craftsmen in our industry, skilled artisans in meat and cheese preparation methods. We use time-honored recipes that call for hand-trimming our meats and applying our spices by hand. Here, Boar's Head breached this express warranty by selling a product to the

decedent, that was consumed by the decedent, that contained a deadly listeria contamination.

9. In our about May of 2024, the Boar's Head website contained the nutritional facts below the liverwurst purchased and consumed by the decedent. The Nutritional facts, create an express warranty that Boar's Head product was free of listeria. The decedent relied upon said Nutritional Facts, thus creating an express warranty. Because said liverwurst contained an outbreak of listeria that killed the decedent, Boar's Head breached its expressed warranty to the decedent.



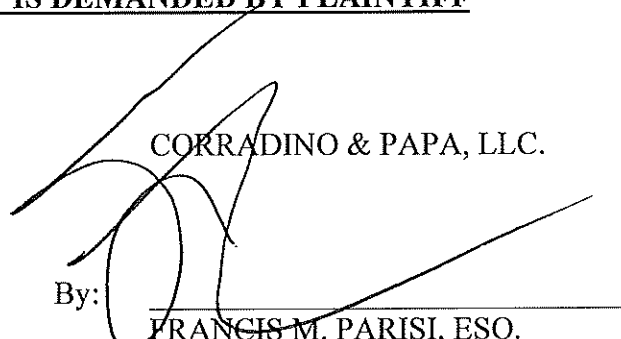
10. Defendants Boar's Head manufactured, distributed, supplied, and sold the liverwurst and its components, which the Decedent ingested, resulting in his listeria infection and his caused his demise.
11. Defendants Boar's Head, through its advertising on its website of product that his of the "finest ingredient" manufactured, distribution, supply, and sale of liverwurst and its components, expressly warranted that their liverwurst and its components were reasonably safe for consumption and ordinary use.

12. It is not necessary to the creation of an express warranty that the seller use formal words such as “warrant” or “guarantee” or that Boar’s Head have the specific intention to make a warranty, but the affirmation through Boar’s Head website and advertising created the warranty of safe food for human consumption.
13. The Defendant did not disclaim any warranties.
14. Contrarily, the Defendants, including the Decedent, advertised on their website and social media and expressly promised the public that its liverwurst was healthy and safe for consumption.
15. The liverwurst products manufactured, supplied, and sold by Defendant Boar’s Head which the Decedent consumed, Robert Renavitz, contained a deadly outbreak of listeria; as such, the liverwurst was unreasonably dangerous for its ordinary and foreseeable use.
16. The liverwurst products were contaminated with Listeria when they left the defendants' possession and control and were consumed by the Decedent.
17. Defendants Boar’s Head breached the warranty of the safety of its foods for their expected and foreseeable purposes. As a direct and proximate result of the Defendants’ breach of warranty, Plaintiff Robert Renavitz sustained fatal injuries, significant pain and suffering, and mental anguish, as did his estate and surviving spouse and economic damages.

WHEREFORE Plaintiff Linda Renavitz, individually, and as Administrator and Personal Representative of the ESTATE of ROBERT RENAVITZ, demands damages against Defendants Boar’s Head and Stop & Shop for compensatory damages, economic damages,

plus interest from the date of injury and costs and punitive damages and such and further relief
as may be just and proper including an award of attorney fees as may be permitted by law.

TRIAL BY JURY IS DEMANDED BY PLAINTIFF



CORRADINO & PAPA, LLC.

By: _____

FRANCIS M. PARISI, ESQ.

Bar Number: 111562014

955 Allwood Road

Clifton, New Jersey 07012

(973) 574-1200

Francis@corradinoandpapa.com

Date: January 28, 2025

JS 44 (Rev. 04/21)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Linda Renavitz, Individually and as
Administrator for the Estate of Robert
Renavitz, Deceased

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) Francis M. Parisi,

Corradino and Papa 955 Allwood Ave. Clifton, NJ
07012 973-574-1200

DEFENDANTS

Boar's Head Provisions., Inc. Stop &
Shop Supermarket

County of Residence of First Listed Defendant Sarasota

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Alan Maxwell

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S. Code Sec 1332

Brief description of cause:

Products Liability wrongful death- Food Poisoning**VII. REQUESTED IN COMPLAINT:**
☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE 1-28-25 SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE